Amendment and Response
Applicant: Wassim Haddad
Serial No.: 10/697,951
Filed: October 31, 2003
Docket No.: 300110632-2
Title: METHOD AND ASSOCIATED APPARATUS FOR CREATING A NETWORK CONNECTION TO A NETWORK BASED ON BANDWIDTH (As Amended)

REMARKS

The following remarks are made in response to the Office Action mailed April 2, 2009. Claims 1-37 were rejected. With this Response, claims 1, 13, 15, 19, 24-27, 29, 30, 33-37 have been amended. Claims 1-37 remain pending in the application and are presented for reconsideration and allowance.

Specification

The Examiner objected to the title for not being descriptive.

The title has been amended to be descriptive. Accordingly, Applicant submits that the above objection to the title should be withdrawn.

Claim Rejections under 35 U.S.C. § 102

The Examiner rejected claims 1-37 under 35 U.S.C. § 102(e) as being anticipated by Chaskar et al., U.S. Patent Publication No. 2004/0196808 ("Chaskar").

Applicant submits that Chaskar fails to teach or suggest the limitations recited by amended independent claim 1 including **and pre-allocating the bandwidth to the computing device in response to determining that the bandwidth is available before commencing creating the connection.**

Chaskar discloses a system and method to facilitate handoffs in mobile networks, such as mobile IP networks. An access router is enabled to dynamically learn about other access routers that are geographically adjacent by receiving information from mobile terminals that move into the service area of the access router. Access routers share capability information. A target access router is allowed to be selected and a handoff is arranged on the basis of capability information associated with one or more target access routers and of the basis of the direction of the movement of the mobile node. (Para. [0015]).

Chaskar fails to disclose an access router *pre-allocating the bandwidth* to a mobile terminal before commencing creating the connection to the mobile terminal. In contrast, Chaskar merely discloses selecting target access routers based on capability information stored in capability maps. (Para. [0027]).

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In view of the above, Applicant submits that the above rejection of independent claim 1 under 35 U.S.C. § 102(e) should be withdrawn. Dependent claims 2-12 and 20 further define patentably distinct independent claim 1. Accordingly, Applicant believes that these dependent claims are also allowable over the cited reference. Allowance of claims 1-12 and 20 is respectfully requested.

In addition, Applicant submits that Chaskar also fails to teach or suggest the further limitations recited by dependent claim 5 including **in which the method allows some channels to be maintained with the existing network, whilst other channels are handed over to the network.** Chaskar discloses that a failure indication is delivered to a mobile terminal if a handoff based on the delivered requirements is not feasible. (Para. [0038]). The mobile terminal disclosed by Chaskar cannot maintain channels with two access routers simultaneously.

Further, Applicant submits that Chaskar also fails to teach or suggest the further limitations recited by dependent claim 7 including **in which the computing device ranks the order of importance of the channels to be handed over to the network.** Chaskar does not disclose that the mobile terminal *ranks the order of importance of the channels to be handed over* to another access router.

For similar reasons as discussed above with reference to claims 1, 5, or 7, Applicant submits that Chaskar also fails to teach or suggest the limitations recited by amended independent claim 13 including **the processor is further arranged to pre-allocate bandwidth to at least one connection prior to the device joining the network;** the limitations recited by amended independent claim 15 including **a computing device capable of connecting to at least two wireless IP networks simultaneously;** the limitations recited by amended independent claim 19 including **the processor being further arranged to process data received from said receiver and to pre-allocate a bandwidth to a connection prior to a computing device joining the network;** the limitations recited by amended independent claim 24 including **and pre-allocating the bandwidth to the device in response to determining that the bandwidth is available before commencing creation of the connection to the device;** the limitations recited by amended independent claim 25 including **wherein the processing arrangement is arranged to control the allocator and**

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further arranged to cause the allocator to pre-allocate a bandwidth to the at least one data connection prior to forming the connection if the bandwidth required to form a connection is available; the limitations recited by amended independent claim 26 including **a computer capable of connecting to at least two wireless IP networks simultaneously**; the limitations recited by amended independent claim 27 including **and pre-allocating the bandwidth to the computing device in response to determining that the bandwidth is available before commencing creating the connection to the network**; the limitations recited by amended independent claim 29 including **and commencing creation of the connection for channels of the network for which there is bandwidth available and maintaining channels with the existing network for which there is no bandwidth available in the network**; the limitations recited by amended independent claim 33 including **the processor being further arranged to pre-allocate bandwidth to at least one channel prior to the device joining the network if the processor determines that bandwidth is available**; the limitations recited by amended independent claim 34 including **and pre-allocating the bandwidth to the computing device in response to determining that the bandwidth is available before commencing creating the connection**; the limitations recited by amended independent claim 35 including **and pre-allocating the bandwidth to the computing device in response to determining that the bandwidth is available before commencing creation of the connection to the device**; the limitations recited by amended independent claim 36 including **and pre-allocating the bandwidth to the computing device in response to determining that the bandwidth is available before commencing creating the connection to the network**; and the limitations recited by amended independent claim 37 including **and commencing creation of the connection for channels of the network for which there is bandwidth available based on a ranking of importance of the channels to be handed over to the network.**

In view of the above, Applicant submits that the above rejection of independent claims 13, 15, 19, 24-27, 29, and 33-37 under 35 U.S.C. § 102(e) should be withdrawn. Dependent claims 14, 16-18, 21-23, 28, and 30-32 further define patentably distinct independent claim 13, 15, 27, or 29. Accordingly, Applicant believes that these dependent

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claims are also allowable over the cited reference. Allowance of claims 13-19 and 21-37 is

respectfully requested.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-37 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-37 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Mark A. Peterson at Telephone No. (612) 573-0120, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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